

ORDINANCE NO. 12-57

ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA GRANTING A REVOCABLE USE PERMIT ISSUED TO TELEMUNDO NETWORK GROUP LLC, FOR THREE YEARS, COMMENCING ON JANUARY 1, 2013 AND ENDING ON DECEMBER 31, 2015, WITH TWO SUCCESSIVE ANNUAL RENEWALS, COVERING A VACANT PARCEL CONSISTING OF APPROXIMATELY 36,526 SQUARE FEET IN TOTAL AREA, ADJACENT TO FIRE STATION NO. 6, IN EXCHANGE FOR PAYMENT OF AN ANNUAL FEE OF \$24,000, PAYABLE IN EQUAL MONTHLY PAYMENTS OF \$2,000 OR IN LUMP SUM, A COPY OF WHICH IS ATTACHED HERETO AND MADE A PART HEREOF AS EXHIBIT "1"; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; PROVIDING PENALTIES FOR VIOLATION HEREOF; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Hialeah granted a nine-year revocable use permit allowing E & W Development, LLC and its tenant, Telemundo Network Group, LLC, to park employee vehicles on a vacant parcel adjacent to Fire Station No. 6 with successive annual renewal options; and

WHEREAS, pursuant to Hialeah, Fla., Ordinance 02-74 (Oct. 10, 2002), the City extended the revocable use permit for an additional year; and

WHEREAS, the City allowed successive annual renewals through December 31, 2012, under the same terms and conditions, with payments made by E & W Development, LLC; and

WHEREAS, the City negotiated an increase in the annual use payments from \$6,000 to \$24,000 for each year for a three-year term; and

WHEREAS, the City finds that it is in the best financial interest to grant the revocable use permit with increased revenue to the City.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF HIALEAH, FLORIDA, THAT:

Section 1: The foregoing recitations and facts contained in the preamble to this ordinance are hereby adopted and incorporated by reference as if fully set forth herein.

Section 2: The Mayor and the City Council of the City of Hialeah, Florida hereby grant a revocable use permit issued to Telemundo Network Group LLC, for three years, commencing on January 1, 2013 and ending on December 31, 2015, with two successive annual renewals, covering a vacant parcel consisting of approximately 26,526 square feet in total area, adjacent to Fire Station No. 6, in exchange for payment of an annual fee of \$24,000, payable in equal monthly payments of \$2,000 or in lump sum, a copy of which is attached hereto and made a part hereof as Exhibit "1".

Section 3: Repeal of Ordinances in Conflict.

All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

Section 4: Penalties.

Every person violating any provision of the Code or any ordinance, rule or regulation adopted or issued in pursuance thereof shall be assessed with a civil penalty not to exceed \$500.00 within the discretion of the court or administrative tribunal having jurisdiction. Each act of violation each day upon which any such violation shall occur shall constitute a separate offense. In addition to the penalty described above, the City may pursue other remedies such as abatement of nuisance, injunctive relief, administrative adjudication and revocation of licenses or permits.

Section 5: Severability Clause.

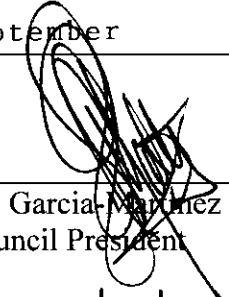
If any phrase, clause, sentence, paragraph or section of this ordinance shall be declared invalid or unconstitutional by the judgment or decree of a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance.

Section 6: Effective Date.

This ordinance shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto.

PASSED and ADOPTED this 25 day of September, 2012.

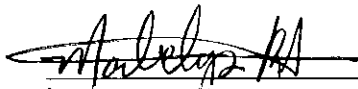
THE FOREGOING ORDINANCE
OF THE CITY OF HIALEAH WAS
PUBLISHED IN ACCORDANCE
WITH THE PROVISIONS OF
FLORIDA STATUTE 166.041
PRIOR TO FINAL READING.



Isis Garcia-Martinez
Council President

Attest:

Approved on this 26 day of September, 2012.



Marbelys Rubio, Acting City Clerk

Marbelys Rubio, Acting City Clerk



Mayor Carlos Hernandez

Approved as to form and legal sufficiency:



William M. Grodnick, City Attorney

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Ordinance was adopted by a unanimous vote with Councilmembers, Caragol, Casals-Muñoz, Cue-Fuente, Garcia-Martinez, Gonzalez, Hernandez and Lozano voting "Yes".